IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.4124 OF 2004

Lazarus Martins ..Petitioner
Vs.
Union of India and another ..Respondents

Mr.A.M.Joshi for Petitioner

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 17TH FEBRUARY, 2005.

P.C.

. The Petitioner retired from service on 31st December, 1988. At that time penalty was imposed on him. Appeal preferred was allowed in 1996. He approached the Tribunal in the year 2002. The Tribunal after considering the merits and finding that the Petitioner could not have been promoted without reverting third person and for other reasons dismissed the Original Application. The case of the Petitioner is that he should have been considered for Stores Officer in 1977 and for Chief Stores Clerk in 1983. The Tribunal found that from 6th November, 1985 some other persons had been promoted as Head Store Keeper to intermediate posts and who had not been made a party.

. Even otherwise it would not be possible to direct the Union of India in respect of person who had retired in 1988 and who had approached the Tribunal in the year 2002 to grant the relief as prayed. The impugned order does not suffer from any

error apparent on the face if the record. as appears. Hence, the petition is dismissed.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)